

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KIRITKUMAR DESAI	:	CIVIL ACTION
Petitioner,	:	
	:	
v.	:	
	:	
PENNSYLVANIA BOARD OF	:	
PROBATION AND PAROLE, et al.	:	
Respondents.	:	No. 05-1811

ORDER

AND NOW, this day of November 2005, upon careful and independent consideration of the petition for a writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge David R. Strawbridge, it is **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The petition for a writ of habeas corpus (Doc. No. 1) is **DENIED** with prejudice;
3. A certificate of appealability **SHALL NOT** issue because we do not believe Petitioner has made “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2); and
4. The Clerk of the Court shall mark this case **CLOSED** for statistical purposes.

BY THE COURT:

MARY A. MCLAUGHLIN, J.
